

OU-4 SOLAR EVAPORATION PONDS DISPUTE: DENIAL OF EXTENSION REQUEST
ASSOCIATED WITH A PROPOSAL TO MODIFY WORK - JUNE 23, 1994

Decision of the IAG Project Coordinators

All parties have actively and cooperatively participated in the process to informally resolve the subject dispute. The Project Coordinators agree that the dispute raised by DOE's letter dated June 23, 1994 is resolved recognizing that the DOE has met the May 27, 1994 submittal date for the Draft Interim Measure/Interim Remedial Action (IM/IRA) Decision Document (DD). In addition, the DOE will provide a response to regulator comments on the Draft IM/IRA DD and a resolution of the eleven issues set forth below by September 12, 1994. Additional technical issues relative to the current project scope have arisen since June 23, 1994; therefore, the extension is appropriate and granted as "good cause".

The extension will allow a resolution of most technical issues and provide DOE additional time to modify the document. Evaluation of sludge disposal at OU-4, as proposed by DOE, will occur along with prioritization and evaluation of the following issues by the combined DOE/EPA/CDPHE Solar Ponds Project Team.

1. Evaluation of site conditions including contaminant levels in liners and subsurface soils that can support, in turn, evaluation of proposed, and alternative, strategies for controlling migration.
2. Additional evaluation of the cap design parameters such as side slopes, height, surface extent (foot print), waste/backfill volume, and foundation (geotechnical) analyses with special emphasis upon those areas not encompassed by the extent of previous cap design proposals and the soils beneath the pond liners.
3. Status of the sludge as remediation waste.
4. Inclusion of the sludge beneath the cap as an "enhancement" to the closure design.
5. Physical form (monolithic, crushed to aggregate, etc.) of the backfill, including sludge.
6. Determination of potential impacts of a reported DOE Headquarters interpretation of DOE Order 5820.2A on the siting of Low-Level Mixed Waste disposal facilities or potential impacts of related DOE policies.
7. Additional comparison of cost-effectiveness of closure designs incorporating on-site vs off-site disposal of liner materials, sludges, and/or soils.
8. Risk management associated with the comparison discussed in number 7.
9. Access and availability of an off-site versus an on-site LLMW disposal facility.

10. Prioritize waste streams (soils, liners, sludge, B-788 components) intended for inclusion beneath the cap.
11. Use of IHSS 101 site versus alternative Rocky Flats ER CAMU location for disposal of OU-4 and additional ER remediation wastes.

The Parties agree to reassemble and evaluate progress on the resolution of the listed issues at the earliest possible date. During this meeting, additional time to gather information to resolve any outstanding issues, such as geotechnical data collection, will be established for the approval of the IAG Coordinators. In addition, subsequent milestones (i.e. Proposed IM/IRA DD, public comment/response and Final IM/IRA Title II Design) shall be defined. Impacts, if any, to the "Begin IM/IRA Construction" milestone of September 27, 1995 shall be assessed, and as necessary modified, concurrent with establishment of the intermediate milestones.

The Project Coordinators recognize and agree that implementation of this resolution process will require dedicated support from and coordination between all parties, and jointly pledge a continued increased level of participation in the administrative, regulatory and technical evaluation processes.

By their signatures below, the IAG Project Coordinators agree on behalf of their respective parties, to the resolution of the OU-4 dispute as described above.

for

Joe Schieffelin, IAG Coordinator
Colorado Department of Public Health
and Environment

7/27/94
Date



Martin Hestmark, IAG Coordinator
U. S. Environmental Protection Agency

7/27/94
Date



Steve Slaten, IAG Coordinator
U. S. Department of Energy

7/2
Date